

YOUTHFUL OFFENDER PROCEEDINGS

Pursuant to Connecticut General Statutes:

§ 54-76b, a youthful offender means a youth (age sixteen or seventeen) charged with a crime, which is not a class A felony or certain other offenses, AND has not previously been convicted of a felony in the regular criminal docket of the Superior Court.

§ 54-76h, in any youthful offender proceeding, the court shall not exclude any victim from such proceeding unless, after hearing from the parties and the victim and for good cause shown, which shall be clearly and specifically stated on the record, the court orders otherwise.

§ 54-76l, records of any youth shall be available to the victim committed by such youth to the same extent as the record of a defendant in a criminal proceeding in the regular criminal docket of the Superior Court.

§54-76q, in a youthful offender proceeding concerning the acceptance of a plea pursuant to a plea agreement or the imposition of sentence, the court shall permit any victim of the crime to appear before the court and make a statement for the record or submit a statement to the court for the record.

*“Rehabilitation happens
when teenagers are forced
to connect to their
communities and confront
their mistakes.”*

-Joaquin E. Diaz DeLeon



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Juvenile / Youthful Offender Proceeding

*Crime victims have statutory rights to
participate in juvenile delinquency
proceedings and youthful offender
proceedings*





JUVENILE DELINQUENCY PROCEEDINGS

Pursuant to Connecticut General Statutes:

§ 46b-122, a victim or representative of the victim can only be excluded from delinquency hearings if ordered by the court for good cause shown, which shall be clearly and specifically stated on the record.

§ 46b-134, prior to the disposition of the case of any child convicted of a delinquent act, investigation of the facts shall be made by the probation officer and shall include an inquiry into the circumstances of the offense and the attitude of the victim, including medical expenses, loss of earning and property loss.

§ 46b-138b, any victim of the delinquent conduct, parents or guardian of such victim or the victim's legal counsel, may make a statement to the court concerning the disposition of the case.

RECORDS IN JUVENILE DELINQUENCY PROCEEDINGS

Pursuant to Connecticut General Statutes:

§ 46b-124, any victim of a delinquent act shall, **without a court order**, have access to:

- The name and address of the delinquent child;
- The name and address of the child's parents or guardian;
- Any charges pending against the child that relate to the delinquent act;
- Information pertaining to the disposition of the delinquency matter; and
- Any order entered by the court pertaining to the victim.

Records beyond the above-available information, including police reports, may be disclosed to the victim upon order of the court for good cause shown. Information disclosed to the victim shall not be further disclosed except as specifically authorized by an order of the court.

§ 54-102a & 102b, the court may order an accused delinquent or a convicted delinquent to be tested for HIV or examined for venereal disease, if requested by a victim of sexual assault and the results shall be disclosed to the victim.

RESTITUTION IN JUVENILE DELINQUENCY PROCEEDINGS

Pursuant to Connecticut General Statutes:

§ 46b-140, if the delinquent child has engaged in conduct which results in property damage or personal injury, the court may order the child or the parent or parents or guardian of the child, if such parent or parents or guardian had knowledge of and condoned the conduct of the child, or both the child and the parent or parents or guardian to make restitution to the victim of such offense, **provided the liability of such parent or parents or guardian shall be limited to an amount not exceeding \$5,000.**

§ 46b-120, a "child" means any person under eighteen years of age who has not been legally emancipated, except that for purposes of delinquency matters and proceedings, "child" means any person who (i) is at least seven years of age at the time of the alleged commission of a delinquent act and who is (I) under eighteen years of age and has not been legally emancipated, or (II) eighteen years of age or older and committed a delinquent act prior to attaining eighteen years of age.

** This summary of legal rights is subject to the full text of the statutes. Victims are entitled to rights as set forth in the statutes. If you don't understand your legal rights, you may wish to speak with an attorney or contact the OVA staff.*